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Letter dated 28 December 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached report from the Libyan Arab Jamahiriya, submitted pursuant to paragraph 6 of resolution 1373 (2001) (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman of the Counter-Terrorism Committee

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Annex

Note verbale dated 26 December 2001 from the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

[Original: Arabic]

The Permanent Mission of the Libyan Arab Jamahiriya to the United Nations presents its compliments to the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism and has the honour to transmit to it a report on the steps taken by the Libyan Arab Jamahiriya to implement the same resolution, submitted pursuant to its paragraph 6.

In transmitting the report requested, the Permanent Mission would like to stress:

1. That the Jamahiriya has voiced its unequivocal condemnation of terrorism in all its forms and manifestations on many occasions, most recently when it denounced the terrorist attacks committed against the United States of America on 11 September 2001 as criminal acts and acknowledged the right of the United States to defend itself;

2. That the Jamahiriya has been one of the victims of terrorism and that, in 1992, it urged that a special session of the General Assembly should be convened to consider international terrorism and adopt a clear definition of the phenomenon that takes account of the right of peoples to defend themselves and to exercise self-determination in accordance with international law and custom;

3. That the Libyan Arab Jamahiriya stands ready to cooperate in all international efforts to combat terrorism under the auspices of the United Nations and that it is, in this connection, a party to many of the counter-terrorism conventions and protocols.

The Permanent Mission of the Libyan Arab Jamahiriya to the United Nations takes this opportunity to convey to the Committee the assurances of its highest consideration.

Enclosure

Measures taken by the Libyan Arab Jamahiriya to combat terrorism

I. General measures

1. By its decision 380/1984 of 6 June 1984, the General People's Committee of the Libyan Arab Jamahiriya established a counter-terrorism bureau under the authority of the Secretary of the General People's Committee for Foreign Liaison and International Cooperation. The bureau was assigned the tasks of: addressing terrorist activities of all kinds and the means to counter them; coordinating action by all relevant agencies to solve the problems caused by international terrorism; monitoring the positions taken by States and international and regional organizations with respect to terrorist practices; and investigating the possibility of cooperating, consulting and exchanging information with other countries so that all might coordinate their positions and concentrate their efforts to confront and combat terrorism.

2. In a letter dated 17 January 1992 addressed to the Secretary-General of the United Nations, the Libyan Arab Jamahiriya called for the convening of a special session of the General Assembly devoted to the problem of terrorism and to defining it and identifying ways of solving it.

3. The Jamahiriya drew the world's attention to the involvement of the al-Qa'idah organization in acts of terrorism and urged that its members, headed by Usama bin Laden, should be sought and detained for having engaged in terrorist acts against foreigners residing in Libya. It circulated an international notice to this effect in May 1998 and was thus the first country in the world to make the leader and members of this organization the subject of an international red notice.

4. Pursuant to General People's Committee approval 6806 of 3 November 2001, a national committee was formed consisting of a number of secretaries (the equivalent of ministers in other systems) and chiefs of sectors and agencies relevant to counter-terrorism in order to give effect to Security Council resolution 1373 (2001) and present the response of the Libyan Arab Jamahiriya, in accordance with the provisions of the resolution, concerning the steps it had taken or intended to take for the suppression of terrorism.

5. The General People's Committee for Foreign Liaison and International Cooperation approached all of the sectors and agencies relevant to the implementation of Security Council resolution 1373 (2001) concerning counter-terrorism (such as the secretariat of the General People's Committee for Justice and Public Security, the secretariat of the General People's Committee for Finance, and the Central Bank of Libya), with regard to the substance of the resolution and stressed the importance of commitment to the implementation of its provisions by each of them in accordance with its area of jurisdiction.

6. By its letters 6446 of 12 October 2001 and 6523 of 23 October 2001, the General People's Committee agreed that the country should become a party to all of the conventions on the suppression of terrorism on completion of the legislative procedures relating to ratification or accession with the submission of the

conventions to the Basic People's Congresses and that the measures necessary for their implementation should be taken.

7. In October 2001, the General People's Committee for Foreign Liaison and International Cooperation transmitted a letter from the Leader of the Revolution to the Secretary-General of the United Nations conveying the resolve of the Libyan Arab Jamahiriya to accede to all the conventions and other instruments relating to terrorism to which it was not yet a party as soon as the legislative procedures for this purpose had been completed.

8. By its letter 8627 of 19 November 2001, the General People's Committee agreed that the country should sign or accede to the Comprehensive Nuclear-Test-Ban Treaty and the Chemical Weapons Convention and referred the instruments to the secretariat of the General People's Congress for transmittal to the Basic People's Congresses for the completion of accession procedures.

9. The Secretary of the General People's Committee for Foreign Liaison and International Cooperation signed several conventions relating to terrorism at the event held in New York from 9 to 15 November 2001 in conjunction with the fifty-sixth session of the General Assembly. They were the International Convention for the Suppression of the Financing of Terrorism; the Comprehensive Nuclear-Test-Ban Treaty; and the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, its Protocol against the Smuggling of Migrants by Land, Sea and Air, and its Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

10. At its request, the Security Council Committee established pursuant to resolution 1373 (2001) was provided with the name of the contact point designated by the Libyan Arab Jamahiriya in order to facilitate contacts with the country by the Committee or by States wishing to obtain information and assistance with regard to the matters addressed in the relevant resolution. The contact point is the International Organizations Department of the General People's Committee for Foreign Liaison and International Cooperation.

II. Measures relating to the implementation of Security Council resolution 1373 (2001)

Paragraphs 1 (a), (b), (c) and (d) of the resolution: measures to suppress the financing of terrorist acts; the criminalization and punishment of wilful participation in the financing of such acts; legislation and procedures for the freezing of funds; and measures to prohibit nationals from making funds available

The Libyan Arab Jamahiriya imposes systematic controls on banking activities and restrictions on the movement of funds (foreign currency) into and out of the country. This prevents any activities relating to the financing of terrorism and the direct or indirect participation of Libyan nationals or entities in Libyan territory in such activities. The controls and restrictions include those outlined hereunder.

By law, the Central Bank of Libya has the authority to examine the books and records of any bank at any times and at its own premises. Such examinations are carried out by inspectors appointed by the Governor of the Central Bank for this purpose.

A bank operating in the Libyan Arab Jamahiriya is required by the provisions of Law No. 1 of 1993, on banks, currency and credit, to draw up and retain statements relating to its financial position showing details of all the facilities or guarantees it provides and to submit them to the Central Bank of Libya on a periodic basis or on demand.

It is forbidden to deal in foreign currency, to transfer currency to or from the country or to transfer promissory notes denominated in a foreign currency other than on the terms and in the circumstances stipulated by the Board of Management of the Central Bank of Libya and through the banks and other entities duly licensed to do so.

A non-resident of the Libyan Arab Jamahiriya or the agents of a non-resident are forbidden to deal in Libyan currency or to transfer or sell Libyan securities and bonds or related coupons other than on the terms and in the circumstances stipulated by the Board of Management of the Central Bank of Libya and through the banks and other entities duly licensed to do so.

It is forbidden, under any circumstances, to use a licensed foreign-currency transfer for any purpose other than that for which it is designated.

It is forbidden to export and import Libyan currency and to export foreign currency, bonds and securities and related coupons denominated in any currency whatever, cash, and gold and silver bullion other than on the terms established by the Board of Management of the Central Bank of Libya.

The competent customs officials exercise the powers assigned to them under the Customs Code with regard to bank notes and other items whose importation or exportation is prohibited.

The banks and other entities licensed to deal in foreign currency must submit to the Central Bank of Libya, at the times it shall designate, a statement of the foreign currency they have purchased, of the transfers they have effected in accordance with the provisions of the law and of the foreign-currency deposits on hand as well as any other statements sought by it.

Although no money-laundering activities have been detected at Libyan banks, a draft law is currently being formulated by the Central Bank of Libya to counter and prevent money-laundering and trafficking in illegal funds and to detect and punish offenders.

These controls and restrictions all help to facilitate the task of exposing criminal transactions and identifying the persons involved in them and thus help to prevent them from taking place. As part of the procedures followed when illegal funding such as the financing of illegal organizations is detected, the activity is halted by the Libyan judicial authorities as one of the control measures necessary if offenders are to be prosecuted their property confiscated. The assets and accounts of all those proved to have been involved in criminal acts are frozen by order of the office of the public prosecutor or of the court, as the case may be. The laws regulating property in Libya stipulate that ownership is established only if it is

demonstrated to be legitimate. Property for which the possessor is unable to demonstrate legitimate ownership is thus illegal. Article 6 of Law No. 10/1423, concerning endorsements, provides that all funds or commissions that a person obtains by exploiting his position or status or by engaging in a prohibited activity are to be regarded as unlawful gain. It also provides that funds are illegal if their source is unknown or if the circumstances in which they are acquired are not consistent with a person's lawful resources. The law allows the court to issue an order for the sequestration of the funds of a person suspected or convicted of a criminal offence. Needless to say, terrorist offences are in the forefront of those with regard to which Libyan law has established these procedures and measures.

Despite the fact that Libyan legislation has yet to criminalize "terrorist acts" in the manner that has become customary at the international level, such acts are no different from the "criminal activities" penalized by Libyan criminal laws under other designations. This includes criminal activities relating to the direct or indirect provision or collection of funds to be used or intended to be used in "terrorist acts". Such activities are prohibited by law and are serious crimes, so that the judicial authorities may take the measures necessary to prevent them and may freeze any funds associated with them or take possession of them, prevent their use or even confiscate them.

In implementation of the provisions of the International Convention for the Suppression of the Financing of Terrorism, which it signed in New York on 13 November 2001, the Libyan Arab Jamahiriya will take the measures it deems appropriate and will enact supplementary legislation in keeping with the obligations imposed by the Convention and by the resolutions adopted by the Security Council in this regard, most recently its resolution 1373 (2001).

Paragraph 2 (a) of the resolution: legislation and measures in place to give effect to the requirement to refrain from providing support to those involved in terrorist acts, including the recruitment of terrorist groups and the supply of weapons to terrorists

Article 168 of the Libyan penal code makes it a criminal offence to enlist recruits or to engage in any acts of aggression against foreign countries. The provision is of a broad and general character, inasmuch as it covers any and all hostile activities against other States. There can be no doubt that terrorist acts and the supply of weapons to terrorists are in the forefront of such activities. Under article 100 of the penal code, to provide a criminal with a weapon is to be an accessory to the crime and is punishable by imprisonment for a term, life imprisonment or even the death penalty if there are aggravating circumstances.

In addition to the foregoing, the Great Jamahiriya is party to many international, regional and bilateral agreements for the prevention and suppression of terrorism. It has thus far signed, ratified or acceded to some 35 treaties, conventions and protocols, and it is committed to implementing all of the undertakings they impose. Under article 3 of the Convention of the Organization of the Islamic Conference on Combating International Terrorism (the OIC convention), article 3 of the Arab Convention for the Suppression of Terrorism (the LAS convention) and article 4 of the Organization of African Unity Convention on the Prevention and Combating of Terrorism (the OAU convention), Libya undertakes: not to engage in, attempt or participate in any way whatever in the organization,

financing or commission of terrorist acts or to incite the commission of terrorist acts or support them directly or indirectly; and to prevent its territory from being used for the planning, organization or perpetration of terrorist offences by, inter alia, preventing the illicit entry, sheltering or sojourn of terrorist elements or by receiving, sheltering, training, arming or financing them or by providing them with facilities.

Paragraph 2 (b) of the resolution: other steps being taken to prevent the commission of terrorist acts and, in particular, the early-warning mechanisms that exist to allow exchange of information with other States

The Libyan Arab Jamahiriya has signed or acceded to many international, regional and bilateral instruments, details of which will be given subsequently. Most of them provide for the exchange of information on threats to the security and safety of the parties, on international trafficking networks and the activities and crimes of hostile terrorist groups and organizations prejudicial to the security and stability of States, and on new offences and methods and the means to detect and counter them. Parties also undertake to provide each other with any information they have on any criminal activities there have been or that are being planned in the territory of other parties or elsewhere. Examples are the security cooperation agreement between the Libyan Arab Jamahiriya and the Republic of Yemen, signed at Sana'a on 20 April 1998; the general principles of the security protocol between the Libyan Arab Jamahiriya and the Republic of the Sudan, signed on 24 December 1995; the joint memorandum on cooperation in the drug control field between the Great Jamahiriya and the Republic of the Sudan, signed on 4 February 1999; and the memorandum on cooperation in the drug control field between the Jamahiriya and Chad, signed in November 1997.

The Jamahiriya has been selected as a contact point for the exchange of information and for consultations between the members of the committee to monitor relations among the western Mediterranean States with regard to terrorism, the criminal police and migration. It participated in a discussion group on organized terrorist activities that was held in Rome on 9 October 2000 together with Algeria, France, Italy, Portugal, Spain and Tunisia. The participants agreed to continue to work systematically on measures to combat organized crime, and they expressed satisfaction at the measures that had yielded effective results in combating drug-related and other crimes. They reached a common understanding on standardizing methods of combating organized crime, to be embodied in bilateral agreements. Accordingly, an agreement was concluded between the Libyan Arab Jamahiriya and Italy on cooperation in combating terrorism, organized crime, illegal trafficking in narcotic drugs and psychotropic substances and illegal migration, to be added to similar agreements with Cyprus, Malta, Pakistan and Yemen.

As a party to the LAS, OIC and OAU conventions, the Libyan Arab Jamahiriya has undertaken to cooperate in the exchange of information on the activities and crimes of terrorist groups, on their leaders and members, on the places they are based and trained, on the methods and sources of their funding and their acquisition of weapons and on the communications and propaganda media they use. It has undertaken to provide any other State party, in an expeditious manner, with any information it might have on any terrorist crime committed in its territory that targets the interests or nationals of that State, or of other States parties, and any information that could prevent the occurrence of terrorist crimes in its territory or

against its nationals or residents or their interests. It has likewise undertaken to provide any other State party with any information in its possession that could facilitate the arrest of a person or persons suspected of committing, attempting or being an accessory to a terrorist crime against the interests of that State, whether through assistance, collusion or incitement, or that could lead to the seizure of any weapons, ammunition, explosives or funds used or intended for use in a terrorist crime.

Paragraph 2 (c) of the resolution: the denial of safe haven to those who finance, plan, support or commit terrorist acts or provide safe haven to terrorists

Under article 3 of the relevant LAS and OIC conventions and article 4 of the OAU convention, Libya, as a party to the conventions, undertakes to prevent the use of its territory as a base for planning, organizing, executing, attempting or taking part in terrorist crimes in any manner whatsoever by, inter alia, preventing terrorist elements from entering its territory illicitly or residing there, as individuals or as groups, and their reception, sheltering, training, arming or funding and the provision of facilities to them.

Libyan legislation also makes provision for deportation. Article 158 of the penal code, under the heading "Deportation of aliens from the territory of the State", stipulates that a judge must order the deportation of any alien sentenced to imprisonment for a term of 10 years or more. Aliens may also be deported in other circumstances stipulated in the law. Article 225 of the penal code provides for the deportation of an alien sentenced to deprivation of liberty for an offence that falls in the category of felonies and misdemeanours against the State. Article 16 of Law No. 6 of 1987, regulating the entry of aliens to Libya, their residence in the country and their departure therefrom, provides for the cancellation of a residence visa in the case where an alien is a threat to the internal or external security or integrity of the State or to its economy, or to public health or public morals, or where he is a burden on the State, or where he violates the terms on which his visa was granted, or where the reason for which he was granted the visa is no longer valid.

Paragraphs 2 (d), (e) and (f) of the resolution: existing legislation or procedures to prevent terrorists acting from Libya against other States or citizens; steps taken to establish terrorist acts as serious criminal offences and to ensure that the punishment reflects the seriousness of such terrorist acts; and provision of assistance in connection with criminal investigations and criminal proceedings relating to the financing or support of terrorist acts

As previously indicated, Libyan law prohibits hostile acts against other countries and punishes those who commit, in Libyan territory or elsewhere, any of the relevant crimes. These include the enlistment of recruits to act against a foreign State, the perpetration of acts of aggression against a foreign State, the financing of illegal organizations and attacks on heads of State and on the diplomatic representatives of foreign States. Libyan law also regards such acts as crimes whether they are committed in the country or elsewhere (article 5 of the penal code), and it is therefore implied that acts done from Libyan territory that cause harm to others are established as criminal offences.

Libya also complies fully with the undertakings required by the international, regional and bilateral agreements to which it is a party and which address all of the issues covered by paragraphs 2 (d), (e) and (f) of Security Council resolution 1373 (2001).

Paragraph 2 (g) of the resolution: measures and mechanisms in place to prevent the movement of terrorists, effective border controls, the issuance of identity papers and travel documents, and measures to prevent forgery or impersonation

In May 1996 the Libyan Arab Jamahiriya began to introduce a computerized system that includes a database of all suspicious elements in which all files are stored and classified so that personal data and other descriptive information relating to the activities and locations of such persons can be retrieved.

At a later stage, the Libyan Arab Jamahiriya began to establish a circulation system within the parent system so that photographs of persons being sought could be circulated to all branches of internal security within a few seconds.

In order to tighten controls on the constant arrival and departure of suspicious elements at border crossings, ports and airports, these facilities were connected with the circulation system (security system No. 1) and all of the files relating to all suspicious elements (whether wanted, convicted or under observation) were entered together with all related data and their photographs. Another important process is the entry in the system of all missing and stolen travel documents, since there is a possibility they could be used by terrorist elements.

Security system No. 2 came into use on 1 April 1999. It seeks to eliminate forgery entirely, given the ease with which all data relating to citizens can be retrieved in record time — a matter of seconds — through information linkages that makes all valid documents accessible to all users working at points of entry and exit. All search operations take place on a special transit screen using the number of the travel document or any other field selected by the user to facilitate the process of comparing the data stored in the device and the data entered in the travel document being used. Operation of the system began with the entry of all currently valid travel documents for which data were available at the passport office. All data were entered: photographs; personal data; the numbers of such documents as identity cards, family carnets, passports and driver's licences; security notices; and distinguishing physical features. All branches of the passport office were linked with the system so that its staff could enter travel documents issued after 1 April 1999 on a daily basis as a basic part of the process of issuing such documents.

As a party to the LAS convention, the Libyan Arab Jamahiriya has undertaken (article 3, section I, paragraphs 3 and 4):

> "To develop and strengthen systems for the detection of the movement, importation, exportation, stockpiling and use of weapons, munitions and explosives ... as well as procedures for monitoring their passage through customs and across borders in order to prevent their transfer from one Contracting State to another or to third-party States other than for lawful purposes;
>
> "To develop and strengthen systems concerned with surveillance procedures and the securing of borders and points of entry overland, by sea and by air in order to prevent illicit entry thereby."

After the adoption of Security Council resolution 1373 (2001), measures were taken with a view to raising performance standards at the border control points and preventing illegal movement into and out of the Jamahiriya in general. This was done by stepping up patrols, the constant monitoring of borders and the imposition of certain restrictions on travel by persons in the 15-to-30 age group as a precaution against their possible recruitment by terrorist bands, especially in the circumstances in which the world currently finds itself.

Paragraphs 3 (a), (b) and (c) of the resolution: steps taken to intensify and accelerate the exchange of operational information regarding movements of terrorists or terrorist networks, falsified documents, traffic in arms, explosives or sensitive materials, the use of communications technologies by terrorist groups and the threat posed by the possession of weapons of mass destruction; exchange of information in accordance with international and domestic law and cooperation in administrative and judicial matters to prevent the commission of terrorist acts; and action against perpetrators of such acts

With its accession to seven counter-terrorism conventions, its initiation of the process of ratifying or acceding to the other five of the 12 such conventions and its obligations under the LAS, OIC and OAU conventions, the Jamahiriya has undertaken:

> "To cooperate and coordinate action among Contracting States, particularly neighbouring countries suffering from similar or common terrorist offences" (article 3, section I, paragraph 2, of the LAS convention);

and

> "To establish, in each Contracting State, a database for the accumulation and analysis of information relating to terrorist elements, groups, movements and organizations and for the monitoring of developments with respect to the terrorist phenomenon and of successful experiences in counter-terrorism; and to keep such information up to date and make it available to the competent authorities of Contracting States ... " (article 3, section I, paragraph 8, of the LAS convention and the OIC convention).

It has made commitments to enhancing the exchange of information with States on the activities and crimes of terrorist groups; on their leaders and members; on the places they are based and trained; on the methods and sources of their funding and their acquisition of weapons; on the types of weapons, ammunition and explosives they use; on the communications and propaganda media they employ; on their mode of operation; on the movements of their leaders and members; and on the travel documents they use. The Jamahiriya will endeavour to provide each contracting State, in an expeditious manner, with any information it might have on any terrorist crime committed in its territory that targets the interests or nationals of that State. It has further undertaken to cooperate in the exchange of information with a view to combating terrorist crimes and to take the initiative in providing any other contracting State or States with any information in its possession that could facilitate the apprehension of terrorist elements or could lead to the seizure of any weapons, ammunition, explosives, equipment or funds used or intended for use in a terrorist crime. It has also undertaken to enhance cooperation with other States and to provide assistance in the investigation and apprehension of fugitives suspected or convicted of terrorist crimes.

Paragraphs 3 (d) and (e) of the resolution: conventions and protocols to which the Jamahiriya is a party, or which it has signed with a view to subsequent ratification, or in respect of which it is in the process of completing the accession procedures required by the laws in force

I. International counter-terrorism and extradition agreements to which the Jamahiriya is a party, which it has ratified or in respect of which it is in the process of completing accession procedures

A. International conventions to which the Jamahiriya has acceded or which it has ratified:

1. International Convention against the Taking of Hostages, adopted by the General Assembly of the United Nations on 17 December 1979, to which the Jamahiriya acceded on 22 September 2000;

2. International Convention for the Suppression of Terrorist Bombings, adopted by the General Assembly of the United Nations on 15 December 1997, to which the Jamahiriya acceded on 22 September 2000;

3. Convention on the Safety of United Nations and Associated Personnel, adopted by the General Assembly of the United Nations on 9 December 1994, to which the Jamahiriya acceded on 22 September 2000;

4. Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, adopted by the General Assembly of the United Nations on 14 December 1973, to which the Jamahiriya acceded on 22 September 2000;

5. International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly of the United Nations on 4 December 1989, to which the Jamahiriya acceded on 22 September 2000;

6. Convention on the Physical Protection of Nuclear Material, signed at Vienna on 3 March 1980 and ratified by the Jamahiriya on 8 November 2000;

7. Convention on Offenses and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, to which the Jamahiriya acceded on 12 June 1972;

8. Convention for the Suppression of Unlawful Seizure of Aircraft, signed at The Hague on 16 December 1970, to which the Jamahiriya acceded on 12 October 1978;

9. Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, signed at Montreal on 23 September 1971, to which the Jamahiriya acceded on 19 February 1974;

10. Treaty Banning Nuclear-Weapon Tests in the Atmosphere, in Outer Space and under Water (partial test-ban treaty), signed at Moscow on 5 August 1963 and ratified by the Jamahiriya on 15 July 1968;

11. Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies, signed at

Moscow, London and Washington on 27 January 1967, to which the Jamahiriya acceded on 3 July 1968;

12. Treaty on the Non-Proliferation of Nuclear Weapons, signed at London, Moscow and Washington on 1 July 1968, to which the Jamahiriya acceded on 26 May 1975;

13. Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, adopted by the General Assembly of the United Nations on 7 December 1970 and signed at London, Moscow and Washington on 11 February 1971, to which the Jamahiriya acceded on 6 July 1990;

14. Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction, signed at London, Moscow and Washington on 10 April 1972, to which the Jamahiriya acceded on 18 January 1982;

15. Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, to which the Jamahiriya acceded on 29 December 1971.

B. International conventions referred to the Basic People's Congresses for a decision on ratification or accession:

1. International Convention for the Suppression of the Financing of Terrorism, adopted by the General Assembly of the United Nations on 9 December 1999 and signed by the Jamahiriya on 13 November 2001;

2. United Nations Convention against Transnational Organized Crime, adopted by the General Assembly of the United Nations on 15 November 2000 and signed by the Jamahiriya on 13 November 2001;

3. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted by the General Assembly of the United Nations on 15 November 2000 and signed by the Jamahiriya on 13 November 2001;

4. Protocol against the Smuggling of Migrants by Land, Sea and Air, adopted by the General Assembly of the United Nations on 15 November 2000 and signed by the Jamahiriya on 13 November 2001;

5. Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, adopted by the General Assembly of the United Nations on 15 November 2000 and signed by the Jamahiriya on 13 November 2001;

6. Comprehensive Nuclear-Test-Ban Treaty, adopted by the General Assembly of the United Nations on 10 September 1996 and signed by the Jamahiriya on 13 November 2001;

7. Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, done at Rome on 10 March 1988;

8. Convention on the Marking of Plastic Explosives for the Purpose of Detection, signed at Montreal on 1 March 1991;

9. Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, done at Rome on 10 March 1988;

10. Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, signed at Montreal on 24 February 1988;

11. Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, adopted by the General Assembly of the United Nations on 30 November 1992 and opened for signature in Paris on 13 January 1993.

II. Regional conventions to which Libya is a party

1. Organization of African Unity Convention on the Prevention and Combating of Terrorism, adopted at Algiers on 14 July 1999;

2. Convention of the Organization of the Islamic Conference on Combating International Terrorism, adopted at Ouagadougou on 1 July 1999;

3. Arab Convention for the Suppression of Terrorism, signed at Cairo on 22 April 1998;

4. Arab Convention on Judicial Cooperation, signed at Riyadh on 4 April 1983.

III. Bilateral agreements

1. Cooperation agreement with Italy to combat terrorism, organized crime, illicit traffic in narcotics and psychotropic substances and illegal migration, signed at Rome on 13 December 2000;

2. Cooperation agreement with Malta to combat trafficking in narcotic drugs and psychotropic substances and organized crime, signed at Valetta on 18 April 1995;

3. Extradition agreement with Turkey, signed at Ankara on 5 August 1985;

4. Extradition agreement with Pakistan, signed at Islamabad on 28 September 1996;

5. Extradition agreement with Cyprus, signed at Nicosia on 15 May 2001.

Paragraphs 3 (f) and (g): the legislation, procedures and mechanisms in place to ensure that asylum seekers have not been involved in terrorist activities; and the procedures in place to prevent the abuse of refugee status by terrorists

The Libyan laws in place require the granting of asylum to be approved by the highest authority in the Jamahiriya, the secretariat of the General People's Congress. Article 26 of Law No. 1 of 2001 provides that the secretariat of the General People's Congress has the power to approve the granting of political asylum and to determine the treatment to be accorded to political refugees. Certainly, the secretariat only grants this privilege after consulting with the competent security authority, the external security agency, which is assigned the task of monitoring aliens and scrutinizing the hostile activities and attitudes of foreign persons or entities inside and outside the country. The situation of the asylum seeker can thus be investigated

before asylum is granted and whoever is shown to have been involved in any terrorist activity is prevented from obtaining refugee status.

Although there are no specific stipulations in Libyan law to prevent the abuse of refugee status, the provisions of Libyan legislation in general preclude this. It is also established practice in Libya that whoever is granted the right of refuge is forbidden to engage in any political activity, let alone to commit offences or terrorist acts established in Libyan law as crimes for which deterrent penalties as severe as the death penalty are imposed.

Libyan legislation thus does not permit the abuse of political refugee status by terrorists, and whoever is suspected of having a connection with criminal activity is prosecuted in accordance with the law and subsequently deported from the territory of the State.